

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1, 3, 5-18, 22-26, and 28-47 are pending in the application, with claims 1, 22, and 37 being independent. Claims 1, 22, 31, 37 and 40 are amended herein. Support for the amendments and additions can be found in the original disclosure at least at page 9, lines 6-14, page 13, line 28 through page 14, line 11, and page 14, line 28, through page 15, line 12. No new matter has been added.

§ 103 Rejection

Claims 1, 3, 5-18, 22, 23, 25, 28-31, 33, 34, 36-38, 40, and 42 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,742,666 (Alpert) in view of U.S. Patent No. 6,295,346 B1 (Markowitz et al.) and further in view of U.S. Patent No. 6,167,435 (Druckenmiller et al.). This rejection is respectfully traversed. Nevertheless, without conceding the propriety of the rejection, independent claims 1, 22, and 37 have been amended herein for clarification. Claim 31 has also been amended to attend to a minor informality.

Independent claim 1 is directed to a method of providing distributed notification and as presently presented recites, among other things, storing a contact profile that includes respective contact data associated with each of a plurality of contacts associated with the remote device, and testing the contact data associated with each of the plurality of contacts to validate that the contact data for each is valid. As further recited in this claim, testing the contact data comprises initiating a test call to each of the contacts.

The cited documents fail to disclose or suggest such features.

Alpert is directed to an emergency mobile telephone which “automatically dials one or more prescribed emergency telephone numbers in the event of an emergency ... initiated by the user pressing a dedicated pushbutton on the cellular telephone handset, or alternatively, upon the occurrence of an accident which is detected by the cellular telephone” (col. 3, lines 7-10). In addition, Alpert discloses that “the cellular telephone begins to emit a radio location identification signal” using a GPS system, and that “the location identification system 123 and/or the location identification circuit 140 of the cellular telephone 50 operates to provide updated information regarding the location of the user in distress” (col. 3, lines 24-46, and col. 14, lines 62-65).

However, Alpert fails to disclose or suggest “storing a contact profile that includes respective contact data associated with each of a plurality of contacts associated with the remote device,” and “testing the contact data associated with each of the plurality of contacts, to validate that the contact data for each is valid,” as presently recited in independent claim 1.

Markowitz et al. was cited for its alleged teaching of having a base station storing a contact profile and placing a phone call to the public emergency service provider along with each of a plurality of contacts (see pages 3-4 of the Office Action). However, Markowitz et al. fails to remedy the deficiencies in Alpert noted above with respect to independent claim 1. For example, Markowitz et al. fails to teach or suggest “testing the contact data associated with each of the plurality of contacts, to validate that the contact data for each is valid, the testing comprising initiating a test call to each of the contacts,” as presently recited in independent claim 1.

Druckenmiller et al. was cited for its alleged teaching of verifying email addresses in a distribution list by sending to each email address a test message. However, Druckenmiller fails to remedy the deficiencies of Alpert and Markowitz. Specifically, Druckenmiller fails to teach or suggest “testing the contact data associated with each of the plurality of contacts, to validate that the contact data for each is valid, the testing comprising initiating a test call to each of the contacts.” This feature is simply missing from the cited references.

Accordingly, independent claim 1 is allowable over the cited documents, whether taken alone or in combination (assuming for the sake of argument that the documents can even be combined).

Independent claim 22 is directed to a system for providing emergency notification and as presently presented recites, among other things, a signal transmitter at a base station that provides an updated notification message to each of a plurality of contacts and to an emergency service until a deactivation event occurs, the updated notification message further including up-to-date event status information. These features are discussed in Applicant’s specification, among other places, at page 13, line 28 through page 14, line 11, and page 14, line 28, through page 15, line 12. These sections clearly discuss the differentiation between remote device location information and up-to-date event status information.

The cited documents fail to disclose or suggest such features.

As discussed above, Alpert discloses an emergency mobile telephone which “automatically dials one or more prescribed emergency telephone numbers” and

“provide[s] updated information regarding the location of the user in distress” (col. 3, lines 7-10, and col. 14, lines 62-65). Alpert is cited as allegedly teaching a “current, periodically updated location of the cellular telephone caller [that] can be considered as an event status.” (See page 6 of the Office Action). However, Alpert fails to disclose or suggest an updated notification message further including up-to-date event status information, as presently recited in independent claim 22. As discussed above, Applicant’s specification clearly discusses the differentiation between remote device location information and up-to-date event status information.

Accordingly, independent claim 22 is allowable over the cited documents, whether taken alone or in combination (assuming for the sake of argument that the documents can even be combined).

Independent claim 37 is directed to one or more computer-readable media having computer-executable instructions for, among other things, obtaining an updated notification message from the remote device, wherein the updated notification message reflects a current location of the device and up-to-date event status information.

For reasons similar to those discussed above with respect to independent claim 22, the cited documents fail to disclose or suggest “obtaining an updated notification message from the remote device, wherein the updated notification message reflects a current location of the device and up-to-date event status information”, as presently recited in independent claim 37. Accordingly, independent claim 37 is allowable over the cited documents, whether taken alone or in combination (assuming for the sake of argument that the documents can even be combined).

Dependent claims 3, 5-18, 23, 25, 28-31, 33, 34, 36, 38, 40, and 42 depend from one of independent claims 1, 22, and 37, and each is allowable by virtue of this dependency, as well as for the additional features that each recites.

For example, **dependent claim 18** depends from claim 1 and recites that “providing the notification message comprises providing a notification message that contains a status of the event.” The Office Action asserts that “in Alpert, the current, periodically updated location of the cellular telephone caller can be considered as an event status.” Applicant respectfully disagrees.

Independent claim 1, from which claim 18 depends, recites “obtaining an updated notification message from the remote device, wherein the updated notification message reflects a current location of the device.” Dependent claim 18 adds the feature that the notification message contains a status of the event. Thus, the notification message of claim 18 must include a current location of the device AND a status of the event. The “updated location” of Alpert cannot be said to constitute both “a current location of the device” and “a status of the event,” as recited in claim 18. To apply the Alpert reference in this manner would essentially read the “event status” feature out of the claims.

Accordingly, claim 18 is allowable for at least this additional reason.

Dependent claim 30 depends indirectly from claim 1 and recites that “accessing the mapping data store comprises accessing a remote processor via the network, providing longitude/latitude data to the remote processor, and receiving a corresponding street address from the remote processor.” The Office Action asserts on page 5 that this

feature is met by Alpert at column 14, lines 16-19. Applicant respectfully disagrees. The cited portion of Alpert merely states that:

The location information transmitted from the cellular telephone 50 preferably is in the form of location coordinates, for example longitude and latitude, which correspond to those on a map of the region 14. As described above, these coordinates may be converted manually or electronically in order to arrive at a more workable street address or the like.

The cited portion of Alpert et al. makes no suggestion of “accessing a remote processor via the network, providing longitude/latitude data to the remote processor, and receiving a corresponding street address from the remote processor,” as recited in dependent claim 30.

Accordingly, claim 30 is allowable for at least this additional reason.

Claims 24, 26, and 39 were rejected under 35 U.S.C. § 103(a) as being obvious over Alpert, Markowitz et al. and Druckenmiller et al. and further in view of U.S. Patent No. 6,442,241 B1 (Tsumpes). This rejection is respectfully traversed.

Claims 24, 26, and 39 depend from independent claims 22 and 37, respectively, and each, therefore, includes the features of its respective base claim.

As discussed above, Alpert nor Markowitz et al. nor Druckenmiller et al. discloses or suggests “testing the contact data associated with each of the plurality of contacts, to validate that the contact data for each is valid, the testing comprising initiating a test call to each of the contacts” or “obtaining an updated notification message from the remote device, wherein the updated notification message reflects a current location of the device and up-to-date event status information,” as presently recited in independent claims 22 and 37, respectively.

Tsumpes was cited as allegedly teaching “the desirability of communicating an emergency notification message to a list of contacts in a variety of ways, such as voice, pager, voicemail, fax, and e-mail (which takes place over the Internet), with the subscriber account record indicating the formats in which a message is to be communicated for each contact ...” (see Office Action page 6). However, Tsumpes fails to teach or suggest an “updated notification message further including up-to-date event status information” or “obtaining an updated notification message from the remote device, wherein the updated notification message reflects a current location of the device and up-to-date event status information,” as presently recited in independent claims 22 and 37, respectively.

Thus, even if, for the sake of argument, the cited documents could be combined as suggested in the Office Action, Tsumpes still fails to remedy the deficiencies in Alpert, Markowitz et al. and Druckenmiller et al. discussed above with respect to independent claims 22 and 37.

Accordingly, dependent claims 24, 26, and 39 are allowable by virtue of their dependence from claims 22 and 37, respectively, as well as for the additional features that they recite.

Claims 32, 35, and 41 were rejected under 35 U.S.C. § 103(a) as being obvious over Alpert, Markowitz et al. and Druckenmiller et al., and further in view of U.S. Patent No. 5,864,755 (King et al.). This rejection is respectfully traversed.

Claims 32, 35, and 41 depend from independent claims 22 and 37 and each, therefore, includes the features of its respective base claim.

As discussed above, Alpert nor Markowitz et al. nor Druckenmiller et al. discloses or suggests “the updated notification message further including up-to-date event status information” or “obtaining an updated notification message from the remote device, wherein the updated notification message reflects a current location of the device and up-to-date event status information,” as presently recited in independent claims 22 and 37, respectively.

King et al. was cited as allegedly teaching “the desirability of returning a mobile phone to its normal status after a predetermined time period or in response to an appropriate command ...” (see Office Action page 7). However, King et al. fails to teach or suggest “the updated notification message further including up-to-date event status information” or “obtaining an updated notification message from the remote device, wherein the updated notification message reflects a current location of the device and up-to-date event status information,” as presently recited in independent claims 22 and 37, respectively. Thus, even if, for the sake of argument, the cited documents could be combined as suggested in the Office Action, King et al. still fails to remedy the deficiencies in Alpert and Markowitz et al. discussed above with respect to independent claims 22 and 37.

Accordingly, dependent claims 32, 35, and 41 are allowable by virtue of their dependence from claims 22 and 37 as well as for the additional features that they recite.

Claims 43-47 were rejected under 35 U.S.C. § 103(a) as being obvious over Alpert, Markowitz et al., and Druckenmiller et al. and further in view of U.S. Patent Pub. No. 2004/0247086 (Menard et al.). This rejection is respectfully traversed.

Claims 43-47 depend from independent claims 1, 22 and 37 and therefore include the features of these base claims.

As discussed above, Alpert nor Markowitz et al. nor Druckenmiller et al. discloses or suggests “testing the contact data associated with each of the plurality of contacts, to validate that the contact data for each is valid, the testing comprising initiating a test call to each of the contacts” or “the updated notification message further including up-to-date event status information” or “obtaining an updated notification message from the remote device, wherein the updated notification message reflects a current location of the device and up-to-date event status information,” as presently recited in independent claims 1, 22 and 37, respectively.

Menard et al. was cited as allegedly teaching “the desirability of providing emergency event information at a website including the location of the emergency situation, the number of injured people, treatment facility, etc.” (See Office Action at page 7). However, Menard fails to disclose or “testing the contact data associated with each of the plurality of contacts, to validate that the contact data for each is valid, the testing comprising initiating a test call to each of the contacts” or “the updated notification message further including up-to-date event status information” or “obtaining an updated notification message from the remote device, wherein the updated notification message reflects a current location of the device and up-to-date event status information,” as presently recited in independent claims 1, 22 and 37, respectively.

Accordingly, dependent claims 43-47 are allowable by virtue of their dependence from claims 1, 22 and 37 as well as for the additional features that they recite.

CONCLUSION

For at least the foregoing reasons, claims 1, 3, 5-18, 22-26, and 28-47 are in condition for allowance. Applicant respectfully requests reconsideration and withdrawal of the rejections and an early notice of allowance.

If any issue remains unresolved that would prevent allowance of this case, **the Examiner is requested to contact the undersigned attorney to resolve the issue.**

Respectfully submitted,

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